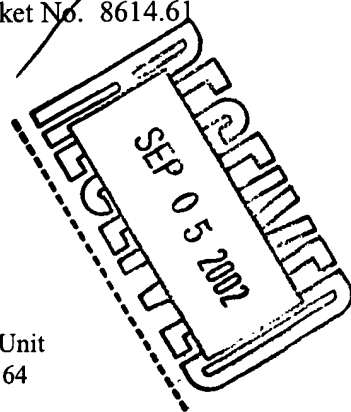




#2  
216442  
\$-06-02

PATENT  
Docket No. 8614.61



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Blake L. Reynolds

Serial No.:

10/039,905

Filed:

January 4, 2002

For:

SYSTEMS AND METHODS FOR ADVANCING  
COLLECTION ON UNPAID DEBTS

Art Unit  
2164

TRANSMITTAL LETTER

**RECEIVED**  
AUG 30 2002  
**GROUP 3600**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

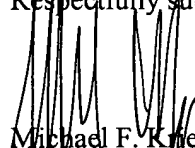
Transmitted herewith for filing are: Petition to Make Special (8 pages); Form PTO-1449 (1 page); Copies of five (5) references: Check No. 48187 for \$130.00; Certificate of Deposit Under 37 C.F.R. §1.8 (1 page); and Postcard.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 50-0843.

Copies in duplicate of this sheet are enclosed.

DATED this 20 day of August, 2002.

Respectfully submitted,

  
Michael F. Krieger  
Attorney for Applicant  
Registration No. 35,232

KIRTON & McCONKIE  
60 East South Temple, Suite 1800  
Salt Lake City, Utah 84145  
Telephone: (801) 328-3600  
Facsimile: (801) 321-4893



**RECEIVED**  
AUG 3 0 2002  
**GROUP 3600**

PATENT APPLICATION  
Docket: 8614.61

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Blake L. Reynolds

Serial No.: 10/039,905

Filed: January 4, 2002

For: SYSTEMS AND METHODS FOR ADVANCING  
COLLECTION ON UNPAID DEBTS

)  
)  
)  
) Art Unit  
) 2164  
)  
)  
)  
)  
)  
)

PETITION TO MAKE SPECIAL UNDER 37 C.F.R. § 1.102(d)

Assistant Commissioner for Patents  
Washington D.C. 20231

Dear Sir:

Applicant respectfully requests that examination of the above-referenced patent application be advanced out of turn and that prosecution be performed in an expedited manner. Applicant believes all claims are directed to a single invention and will make an election without traverse if the Office determines that all claims are not obviously directed to a single invention. Applicant submits this written Petition to Make Special in conformance with 37 C.F.R. § 1.102(d), along with the appropriate fee as set forth in 37 C.F.R. § 1.17(h).

Applicant has caused to be made a careful and thorough pre-examination search of the prior art. This search was performed by a professional search firm under the direction of Noreen A.

Fabean. The search was conducted for United States patented art in Class 705, Subclasses 14 and

30. A copy of each potentially relevant reference discovered in this search is provided for your review.

The following references were discovered in the above-identified pre-examination search and will be discussed in greater detail below:

5,621,790      5,889,799      6,018,718      2002/0049673      2002/0062249

A Form PTO-1449 citing the above-identified referenced patents has been included for the convenience of the Examiner.

#### Nature of the Present Invention

The present invention relates to systems and methods for advancing collections on unpaid debts. More particularly, the present invention relates to systems and methods that encourage, promote, enable, and/or facilitate a collection of one or more unpaid accounts, and that provide monetary and/or non-monetary incentives for such collections.

Implementation of the present invention takes place in association with an incentive methodology that provides monetary and/or non-monetary rewards in order to encourage, promote, enable, and/or facilitate the collection of one or more unpaid debts or accounts. In one implementation, a service provider may purchase a book of vouchers that may be redeemed during a particular period of time for debt collection efforts, such as letters written on behalf of the service provider to whom a debt is owed. A minimum number of vouchers is required for purchase, but may be used by the service provider as desired until the vouchers expire. The vouchers may be prepaid, or may be subtracted from monies collected. Another implementation includes allocating monetary or non-monetary incentives to the service provider or a representative of the service provider (e.g., an office manager) for providing unpaid accounts to a debt collection service. In one implementation, a receipt of incentives requires certification.

Implementation of the present invention enables parties involved in collecting unpaid debts to receive monetary and/or non-monetary incentives, and advance collections on unpaid debts because the incentives and percentages encourage, enable, promote and/or facilitate a collection of at least a portion of one or more unpaid accounts. Furthermore, implementation yields improved relationships between entities involved in collecting the unpaid debts in comparison with traditional methods because of the increased incentives.

Methods and processes of the present invention may be performed through the utilization of one or more computer devices, in a variety of system configurations. Alternatively, the methods and processes may be performed without the use of a computer device.

#### Detailed Discussion of the Prior Art References in Light of the Present Invention

The potentially relevant references discovered in the above-referenced search are listed and discussed in reverse chronological order.

##### *1. United States Patent Application Publication No. US2002/00622249 of Iannacci*

United States Patent Application Publication No. US2002/00622249 of Gregory Fx Iannacci (hereinafter "Iannacci"), published on May 23, 2002, discloses a system and process that provides an on-line, interactive, and fully integrated benefit-driven value exchange and settlement program that monitors, evaluates, and manages economic and personal benefits and executes functions to produce and acquire the maximum or preferred benefit items for users by guiding and automating appropriate payment and settlement actions. Iannacci finds useful patterns in data; produces conclusions based on rules and experience; responds to environmental changes with or without human intervention; and, may evolve through selecting the best results from random mutations all of which are intended to maximize user value.

The present invention is readily distinguishable from the teachings of Iannacci. This is apparent upon examination of independent claims 1, 11, 18, and 20 of the present invention in light of Iannacci. Iannacci discloses a system and method for evaluating a catalog of payment, marketing, and incentive benefits; determining benefit valuations according to a user's profile; and, producing the instructions, actions, and means of acquiring and utilizing determined benefits that provide maximized and preferred value to the user. In contrast, the independent claims of the present invention relate to an incentive methodology that provides monetary and/or non-monetary rewards/incentives to a service provider or a representative of the service provider in order to encourage, promote, enable, and/or facilitate the collection of one or more unpaid debts or accounts. As such, Iannacci clearly does not anticipate nor render obvious independent claims 1, 11, 18, and 20 of the present invention. Moreover, since dependent claims 2-10, 12-17, 19, and 21-23 add further limitations to the independent claims, Iannacci neither anticipates, nor renders obvious the dependent claims of the present invention.

*2. United States Patent Application Publication No. US2002/0049673 of Sheena*

United States Patent Application Publication No. US2002/0049673 of Ramiz G. Sheena (hereinafter "Sheena"), published on April 25, 2002, discloses a system used to protect persons, stores, banks and other institutions who cash checks, whether of one party or two party. The system requires that a person authorized the person who he is presenting his check to post the presenter of the check's name and other information on it an Internet website if any problems occur with the check. The posted information may include a person's name, driver's license number and other information. The information can later be accessed by institutions or other who pay a periodic fee for service. Revenues will also be generated by the person who is listed at the website in order to get their name removed.

The present invention is readily distinguishable from the teachings of Sheena. This is apparent upon examination of independent claims 1, 11, 18, and 20 of the present invention in light of Sheena. Sheena discloses a technique that requires a person to authorize to the person who he is presenting his check to post the presenter of the check's name and other information on an Internet website if any problems occur with the check. In contrast, the independent claims of the present invention relate to an incentive methodology that provides monetary and/or non-monetary rewards/incentives to a service provider or a representative of the service provider in order to encourage, promote, enable, and/or facilitate the collection of one or more unpaid debts or accounts. As such, Sheena clearly does not anticipate nor render obvious independent claims 1, 11, 18, and 20 of the present invention. Moreover, since dependent claims 2-10, 12-17, 19, and 21-23 add further limitations to the independent claims, Sheena neither anticipates, nor renders obvious the dependent claims of the present invention.

*3. United States Patent No. 5,621,790 to Grossman et al.*

United States Patent No. 5,621,790 issued on April 15, 1997 to Harry Grossman and LeRoy F. Simmons (hereinafter "Grossman") discloses a system and a method of generating outbound telephone contact campaigns optimized to contact the maximum number of targeted individuals during a campaign using a predictive dialer system, telephone operators with computer consoles and stored account records, where each account is associated with an individual with one or more telephone numbers and a history of attempts to contact the individual associated with each account.

The present invention is readily distinguishable from the teachings of Grossman. This is apparent upon examination of independent claims 1, 11, 18, and 20 of the present invention in light of Grossman. Grossman addresses the problems of wrong party contacts and limited resources by scheduling individual call attempts to maximize the likelihood of right party contacts, maximize the

productivity of each operator and account for the distribution of available staffing resources throughout each day of the week. In contrast, the independent claims of the present invention relate to an incentive methodology that provides monetary and/or non-monetary rewards/incentives to a service provider or a representative of the service provider in order to encourage, promote, enable, and/or facilitate the collection of one or more unpaid debts or accounts. As such, Grossman clearly does not anticipate nor render obvious independent claims 1, 11, 18, and 20 of the present invention. Moreover, since dependent claims 2-10, 12-17, 19, and 21-23 add further limitations to the independent claims, Grossman neither anticipates, nor renders obvious the dependent claims of the present invention.

*4. United States Patent No. 5,889,799 to Grossman et al.*

United States Patent No. 5,889,799 issued on March 30, 1999 to Harry Grossman and Leroy F. Simmons (hereinafter "Grossman et al") discloses a system and method of generating outbound telephone contact campaigns optimized to contact the maximum number of targeted individuals during a campaign using a predictive dialer system, telephone operators with computer consoles and stored account records, where each account is associated with an individual with one or more telephone numbers and a history of attempts to contact the individual associated with each account.

The present invention is readily distinguishable from the teachings of Grossman et al. This is apparent upon examination of independent claims 1, 11, 18, and 20 of the present invention in light of Grossman et al. Grossman et al addresses the problems of wrong party contacts and limited resources by scheduling individual call attempts to maximize the likelihood of right party contacts, maximize the productivity of each operator and account for the distribution of available staffing resources throughout each day of the week. In contrast, the independent claims of the present invention relate to an incentive methodology that provides monetary and/or non-monetary

rewards/incentives to a service provider or a representative of the service provider in order to encourage, promote, enable, and/or facilitate the collection of one or more unpaid debts or accounts. As such, Grossman et al clearly does not anticipate nor render obvious independent claims 1, 11, 18, and 20 of the present invention. Moreover, since dependent claims 2-10, 12-17, 19, and 21-23 add further limitations to the independent claims, Grossman et al neither anticipates, nor renders obvious the dependent claims of the present invention.

*5. United States Patent No. 6,018,718 to Walker et al.*

United States Patent No. 6,018,718 issued on January 25, 2000 to Jay S. Walker, Sanjay K. Jindal, and Toby Weir-Jones (hereinafter “Walker”) discloses a method for providing and managing a customized reward offer to a holder of a financial account. The method includes the step of accessing historical account data associated with the financial account. The method further includes the step of determining a first performance target associated with the financial account. The method also includes the steps of selecting a reward offer having an associated reward description and transmitting the first performance target and the reward description to the account holder. The method continues with the steps of collecting transaction data associated with the financial account and evaluating the collected transaction data to determine a second performance target associated with the financial account. The collected transaction data is then compared to said first performance target. If the collected transaction data exceeds the first performance target, the financial account is updated to reflect the reward. A system is also provided to implement the steps of the method.

The present invention is readily distinguishable from the teachings of Walker. This is apparent upon examination of independent claims 1, 11, 18, and 20 of the present invention in light of Walker. Walker discloses a method for providing and managing a customized reward offer to a holder of a financial account. In contrast, the independent claims of the present invention relate to



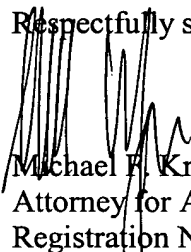
an incentive methodology that provides monetary and/or non-monetary rewards/incentives to a service provider or a representative of the service provider in order to encourage, promote, enable, and/or facilitate the collection of one or more unpaid debts or accounts. As such, Walker clearly does not anticipate nor render obvious independent claims 1, 11, 18, and 20 of the present invention. Moreover, since dependent claims 2-10, 12-17, 19, and 21-23 add further limitations to the independent claims, Walker neither anticipates, nor renders obvious the dependent claims of the present invention.

#### Summary and Conclusion

In light of the foregoing, Applicant respectfully submits that the claims of the present invention contain limitations which are neither disclosed nor rendered obvious by the relevant references discovered in the pre-examination search. The unique combination of features or elements presented in the present invention are not found in any of the prior art references. Applicant therefore respectfully submits that the present invention is patentable over the prior art references.

DATED this 20 day of August, 2002.

Respectfully submitted,

  
Michael F. Krieger  
Attorney for Applicant  
Registration No. 35,232

KIRTON AND McCONKIE  
1800 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, UT 84111  
Telephone: (801) 328-3600  
Facsimile: (801) 321-4893

DBT:je

636683.1